

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
BECKLEY DIVISION**

**JASON K. STRATTON,**

**Plaintiff,**

**v.**

**Civil Action No. 5:16CV12204  
Judge Irene C. Berger**

**ARCH COAL, INC., a foreign corporation,  
MINGO LOGAN COAL COMPANY, a  
foreign corporation, and ARCH COAL  
GROUP, LLC, a foreign corporation,**

**Removed From Circuit Court of  
Raleigh County, No. 16-C-724**

**Defendants.**

**DEFENDANT MINGO LOGAN COAL LLC'S  
MOTION FOR LEAVE TO REOPEN PLAINTIFF'S DEPOSITION**

Now comes Defendant, Mingo Logan Coal LLC ("ML"), by counsel, and hereby moves this Court pursuant to Fed. R. Civ. P. 30(a)(2)(A) for leave to reopen Plaintiff's deposition to inquire into and seek clarification of newly discovered information, as well as information disclosed by Plaintiff and received by Defendants on September 26 and 27, 2017. In support of its motion, ML files contemporaneously its memorandum of law.

WHEREFORE, Defendant Mingo Logan Coal LLC respectfully requests that this Court GRANT its Motion and permit it to reopen Plaintiff's deposition for this purpose.

Dated this 29th day of September, 2017.

/s/ Shawn A. Morgan  
C. David Morrison (WV Bar #2643)  
Shawn A. Morgan (WV Bar #6640)

STEPTOE & JOHNSON PLLC  
OF COUNSEL

400 White Oaks Boulevard  
Bridgeport, WV 26330  
(304) 933-8000  
*Counsel for Defendant*  
*Mingo Logan Coal LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 29th day of September, 2017, I electronically filed the  
“**Defendant Mingo Logan Coal LLC’s Motion for Leave to Reopen Plaintiff’s Deposition**”  
with the Clerk of the Court using the CM/ECF system which will send a notice of electronic  
filing to the following counsel of record:

Stephen P. New  
114 Main Street  
P.O. Box 5516  
Beckley, WV 25801  
*Counsel for Plaintiff*

/s/ Shawn A. Morgan  
C. David Morrison (WV Bar #2643)  
Shawn A. Morgan (WV Bar #6640)